SIXTH DAY.

Senate Chamber, Austin, Tex., Tuesday, Jan. 15, 1901.

Senate met pursuant to adjournment. Lieutenant-Governor Browning in the

Roll called. Quorum present, the following Senators answering to their names:

Present-22.

Potter. Davidson of DeWitt. Savage. Stafford. · Hanger. Harris of Bexar. Staples. Harris of Hunt. Swann. Lipscomb. Turner. Lloyd. Turney. Wayland. McGee. Miller. Wheeler. Neal. Wilson. Yett. Patterson. Paulus.

Absent-8.

James. Beaty. Davidson of Johnson. Odell. Galveston. Goss. Sebastian.

Grinnan.

Absent—Excused.

Dibrell.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Patterson, the same was dispensed with.

EXCUSED.

On motion of Senator Harris of Bexar, Senator Grinnan was excused from attendance upon the Senate for today on account of important business.

On motion of Senator Miller, Senator Beaty was excused indefinitely from attendance upon the Senate on account of important business.

On motion of Senator Davidson of De-Witt, Senator Sebastian was excused for non-attendance upon the Senate yesterday, today and tomorrow on account of sickness.

On motion of Senator Potter, Senator McGee was excused for non-attendance upon the Senate for yesterday on account of important business.

On motion of Senator Potter, Senator James was excused for non-attendance upon the Senate until Friday morning, being in attendance upon the funeral services of the late Dr. E. P. Becton.

BILLS AND RESOLUTIONS.

By Senator Paulus:

Senate bill No. 35, A bill to be entitled "An Act to amend Subdivision 23, Article 1194, Title XXX, and Article 1484, Title XXX, so as to fix the venue of suits against the railroad corporations or any assignee, trustee or receiver, operating their railways in the county in which the cause of action against them, or a part thereof, arises."

Read first time, and referred to Judi-

ciary Committee No. 1.

By Senator Lipscomb:

Senate bill No. 36, A bill to be entitled "An Act to regulate the terms and to fix the times for holding the district court in the Twenty-third Judicial District of Texas, and to regulate and validate the returns of all writs and processes heretofore and hereafter issued from the district courts of said judicial district; and to repeal all laws and parts of laws in conflict with this act, and declaring an emergency."

Read first time, and referred to Com-

mittee on Judicial Districts.

By Senator Savage:

Senate bill No. 37, A bill to be entitled "An Act to amend Article 3909a, Title LXXXVI, Chapter 7, of the Revised Statutes of 1895, relating to the public school curriculum.

Read first time, and referred to Committee on Education.

By Senator Savage:

Senate bill No. 38, A bill to be entitled "An Act to amend Article 3929a, Title LXXXVI, Chapter 9, of the Revised Statutes of 1895, relating to the duties of county superintendent of public instruction.'

Read first time, and referred to Committee on Education.

By Senator Savage:

Senate bill No. 39, A bill to be entitled "An Act to amend Article 3910, Title LXXXVI, Chapter 7, of the Revised Statutes of 1895, relating to school days and school months."

Read first time, and referred to Committee on Education.

By Senator Staples:

Senate bill No. 40, A bill to be entitled "An Act to provide for incorporation, saving banks, loan or building companies."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Savage:

Senate bill No. 41, A bill to be entitled "An Act to amend Article 5088, Title CIV, Chapter 2, of the Revised Civil

Statutes of 1895, relating to the assessment of property for taxes, and providing that debts secured by mortgage or lien on real estate shall bear their pro rata portion of the taxes assessed against such real estate."

Read first time, and referred to Com-

mittee on Finance.

By Senator Paulus:

Senate bill No. 42, A bill to be entitled "An Act to amend Section 1, Chapter 128, of the acts of the Twenty-sixth Legislature, sent to the Governor for his approval on the 20th day of May, A. D. 1899."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Wheeler:

Senate bill No. 43, A bill to be entitled "An Act to amend Article 2556, Chapter 1, Title LI, of the Revised Statutes of the State of Texas, prescribing the papers that shall be copied at length in the minutes of the court; and to repeal all laws and parts of laws in conflict therewith."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Wheeler:

Senate bill No. 44, A bill to be entitled "An Act to amend Article 1851, Chapter 2, Title XXXIX, of the Revised Statutes of the State of Texas, prescribing what papers shall be recorded in the probate minutes; and to repeal all laws and parts of laws in conflict therewith."

Read first time, and referred to Judi-

ciary Committee No. 1.

By Senator Hanger:

Senate bill No. 45, A bill to be entitled "An Act to amend Article 719, Chapter 5, Title VIII, of the Code of Criminal Procedure of 1895, relating to the charge of courts in misdemeanor cases.'

Read first time, and referred to Judiciary Committee No. 2.

By Senator Harris of Hunt:

Senate bill No. 46, A bill to be entitled "An Act to amend Article 856 of the Code of Criminal Procedure of the State of Texas, relating to the execution of judgment in misdemeanor cases when the punishment is assessed at a pecuniary fine."

Read first time, and referred to Judiciary Committee No. 2.

Morning call concluded.

BILLS ON SECOND READING.

The Chair laid before the Senate, on its second reading and passage to engrossment,

Senate bill No. 2, A bill to be entitled "An Act to amend Section 1, of Chapter | Grinnan.

152, of the Acts of the Twenty-sixth Legislature, sent to the Governor for approval on the 27th day of May, 1899, amending Article 5001, Title CII, of the Revised Civil Statutes of the State of Texas of 1895, relating to the stock law."

Bill read second time, and ordered engrossed.

On motion of Senator Potter, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas-21.

Davidson of Potter. DeWitt. Savage. Hanger. Stafford. Harris of Bexar. Staples. Harris of Hunt. Swann. Lipscomb. Turner. Lloyd. Turney. McGee. Wayland. Miller. Wheeler. Neal. Wilson. Paulus. Yett.

Nays—1.

Patterson.

Absent.

Beaty. Johnson. Odell Davidson of Galveston. Sebastian. Goss.

Absent—Excused.

James.

Dibrell. Grinnan.

Bill read third time, and passed by the following vote:

Yeas-22.

Davidson of Potter. DeWitt. Savage. Stafford. Hanger. Harris of Bexar. Staples. Harris of Hunt. Swann. Turner. Lipscomb. Lloyd. Turney. Wayland. McGee. Wheeler. Miller. Wilson. Neal. Patterson. Yett. Paulus.

Absent.

Johnson. Beaty. Odell. Davidson of Sebastian. Galveston. Goss.

Absent—Excused.

Dibrell. James. Senator Potter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

COMMITTEE REPORT.

By unanimous consent, the following committee report was sent to the Secretary's desk.

> Committee Room, Austin, Texas, Jan. 15, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 34, being a bill to be entitled "An Act to appropriate the sum of \$225 for the use of the General Land Office to purchase stamps to enable said office to conduct business for the remainder of the year ending February 28, 1901,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and recommend that the bill be not printed.

Floor report.

WILSON, Acting Chairman.

Senator Wilson moved to suspend the Senate rule requiring committee reports to lay over for one day, and the above reported bill be taken up out of its regular order and be laid before the Senate on its second reading and passage to engrossment.

Rule suspended.

Bill read second time, and ordered en-

grossea.

On motion of Senator Wilson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas-22.

D 11 6	75 11
Davidson of	Potter.
${f DeWitt.}$	Savage.
Hanger.	Stafford.
Harris of Bexar.	Staples.
Harris of Hunt.	Swann.
Lipscomb.	Turner.
Lloyd.	Turney.
McĞee.	Wayland
Miller.	Wheeler.
Neal.	Wilson.
Patterson.	Yett.
Paulus.	

Absent.

Beaty. Johnson.

Davidson of Odell.

Galveston. Sebastian.

Goss.

4-Senate.

Absent—Excused.

Dibrell. Grinnan. James.

Bill read third time, and passed by the following vote:

Yeas—22.

Davidson of Potter. DeWitt. Savage. Stafford. Hanger. Harris of Bexar. Staples. Harris of Hunt. Swann. Lipscomb. Turner. Lloyd. Turney. McGee. Wayland. Miller. Wheeler. Wilson. Neal. Patterson. Yett. Paulus.

Absent.

Beaty. Johnson.
Davidson of Odell.
Galveston. Sebastian.

Goss.

Absent—Excused.

Dibrell. Grinnan. James.

Senator Wilson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

Senator Savage offered the following resolution:

Resolved, first, That the State contractor furnishing stationery and other goods for the use of the members of the Senate shall present to the Sergeant-at-Arms, at the end of each week, an itemized account showing the cost and amount of articles set forth in the bill, together with an affidavit to the same.

Resolved, second, That the Sergeantat-Arms shall cause to be kept on file a duplicate of each order made for such goods, to be turned over to the Committee on Contingent Expenses, together with each itemized account, for their consideration when requested by chairman of the same.

Resolved, third, That the Sergeant-at-Arms shall reject any and all goods, stationery, etc., sent to the Senate contrary to his order, whether in excess in amount or substituted as to quality.

Resolved, fourth, That the State contractor shall, at the time of each delivery of any and all goods, stationery, etc., furnish the Sergeant-at-Arms with an itemized bill of the same for his comparison with said delivery, and that the Expert Printer is hereby requested to assist the Sergeant-at-Arms as much as is necessary during such deliveries.

Resolved, fifth, That the Sergeant-at-Arms is requested to present all orders, before purchasing, to the Chairman on Contingent Expenses for his approval; provided, that in cases of sickness or absence of the Contingent Expense Committee, the Sergeant-at-Arms shall make orders without such approval.

Resolved, sixth, That this resolution is not intended to reflect on the work of any publishing company or individual, but is a matter of business economy.

(President Pro Tem. Miller in the chair.)

On motion of Senator Stafford, the resolution went to the table for one day.

COMMITTEE REPORTS.

By unanimous consent, the following committee reports were sent to the Secretary's desk:

Committee Room, Austin, Texas, Jan. 15, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 36, being a bill to be entitled "An Act to regulate the terms and to fix the time for holding the district court in the Twenty-third Judicial District of Texas, and to regulate and validate the returns of all writs and processes heretofore and hereafter issued from the district court of said judicial district,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that the bill be not printed.

HANGER, Chairman.

Committee Room, Austin, Texas, Jan. 15, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 27, A bill to be entitled "An Act making an appropriation to pay mileage and per diem of the presidential electors of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and we further recommend the same be not printed.

Floor report.
WILSON, Acting Chairman.

Senator Turney moved to suspend Sen ate rule requiring committee reports to lay over for one day, and that Senate

bill No. 27 (see caption in committee report above) be taken up out of its regular order, and be laid before the Senate on its second reading and passage to engrossment.

Rule suspended.

Bill read second time, and ordered engrossed.

On motion of Senator Turney, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas-21.

Davidson of Paulus. DeWitt. Potter. Savage. Hanger. Harris of Bexar. Stafford. Harris of Hunt. Staples. Lipscomb. Swann. Lloyd. Turney. McGee. Wayland. Miller. Wheeler. Neal. ${
m Wilson.}$ Yett. Patterson.

Absent.

Beaty. Johnson.
Davidson of Odell.
Galveston. Sebastian.
Goss. Turner.

Absent—Excused.

Dibrell. James. Grinnan.

Bill read third time and passed by the following vote:

Yeas-21.

Davidson of Paulus. DeWitt. Potter. Hanger. Savage. Harris of Bexar. Stafford. Harris of Hunt. Staples. Swann. Lipscomb. Turney. Lloyd. Wayland. McGee. Miller. Wheeler. Wilson. Neal. Yett. Patterson.

Absent.

Beaty. Johnson.
Davidson of Odell.
Galveston. Sebastian.
Goss. Turner.

Absent-Excused.

Dibrell. James. Grinnan.

Senator Wilson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed. Senator Lipscomb moved to suspend Senate rule requiring committee reports to lay over for one day and take up Senate bill No. 36 out of its regular order (see caption in committee report above).

Rule suspended.

On motion of Senator Davidson of De-Witt, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its second reading and passage to engrossment by the following vote:

Yeas-21.

Davidson of Paulus. ${\bf DeWitt.}$ Potter. Hanger. Savage. Harris of Bexar. Stafford. Harris of Hunt. Staples. Lipscomb. Swann. Lloyd. Turnev. McGee. Wayland. Miller. Wheeler. Neal. Wilson. Patterson. Yett.

Absent.

Beaty. Johnson.
Davidson of Odell.
Galveston. Sebastian.
Goss. Turner.

Absent-Excused.

Dibrell. James. Grinnan.

Bill read second time, and ordered engrossed.

On motion of Senator Lipscomb, the constitutional rule requiring bills to be read on three several days was further suspended, and the bill put on its third reading and final passage by the following vote:

Yeas--22.

Davidson of Potter. DeWitt.Savage. Hanger. Stafford. Harris of Bexar. Staples. Harris of Hunt. Swann. Lipscomb. Turner. Lloyd. Turney. McGee. Wayland. Miller. Wheeler. Wilson. Neal. Patterson. Yett. Paulus.

Absent.

Beaty. Johnson.
Davidson of Odell.
Galveston. Sebastian.

Goss.

Absent—Excused.

Dibrell. James. Grinnan.

Bill read third time, and passed by the following vote:

Yeas--22.

Davidson of Potter. DeWitt. Savage. Stafford. Hanger. Harris of Bexar. Staples. Harris of Hunt. Swann. Turner. Lipscomb. Lloyd. Turney. Wayland. McGee. Miller. Wheeler. Neal. Wilson. Patterson. Yett. Paulus.

Absent.

Beaty. Johnson.
Davidson of Odell.
Galveston. Sebastian.
Goss.

Absent-Excused.

James.

Dibrell. Grinnan.

Senator Lipscomb moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

MOTION TO RECONSIDER.

Senator Lloyd entered a motion to reconsider the vote by which the resolution allowing postage to Senate officers was adopted on yesterday, and asked that the same be spread upon the Journal.

At this juncture the Chair (President Pro. Tem. Miller) announced that the hour of 12 o'clock, noon, having arrived, the Senate would proceed to the Hall of the House of Representatives for the purpose of attending and witnessing the inauguration of His Excellency, Governor Joseph D. Sayers, and Lieutenant-Governor J. N. Browning.

IN JOINT SESSION.

At 11:45 a.m., the Honorable Senate of Texas was announced at the bar of the House, and, accompanied by Sergeant-at-Arms C. H. Allen, Secretary J. P. Pool, Assistant Secretary W. B. O'Quinn and Chaplain I. S. Davenport, the Senators advanced into the Hall and occupied seats already prepared for them.

Hon. Barry Miller, President Pro Tem. of the Senate, was invited to a seat on the rostrum on the right of the

The Secretary was directed to call the roll of the Senate, and the following Senators answered to their names:

Davidson of DeWitt, Hanger, Harris of Bexar, Harris of Hunt, Lipscomb, Lloyd, McGec, Miller, Neal, Patterson, Paulus, Potter, Savage, Stafford, Staples, Swann, Turner, Turney, Wayland, Wheeler, Wilson, Yett. Total present, 22.

The President announced a quorum present.

The Speaker directed the Clerk to call the roll of the House, and the following members answered to their names:

Messrs. Ackerman, Adair, Aldrich, Allred, Bean, Beaty, Blalock, Boyd, Bridgers, Brown, Calhoun, Callan, Calvin, Clements, Cole, Connally, Craddock, Cuny, Dean, Decker, Dillard, Doyle, Ellis, Evans, Fears, Fountain, Garner, Gary, Gay, Glenn, Goodlett, Gray of Comanche, Gray of Eastland, Green, Griggs, Grish-Hamilton, Harbison, Hawkins, Hemphill, Hendrick, Heslep, Hill, Hogsett, Houts, Hurt, Jones, Kennedy of Limestone, Kyle, Lane, Little, Lively, Looney, McAnally, McClellan, McInnis, McKnight, McMeans, Meece, Meitzen, Moore, Moran, Morris, Morrow, Moursund, Mulkey, Mugg, Murray, Murrell, Napier, Neff, Nicholson, Nolan, Nowlin, Palmer, Parish, Perkins, Perry, Phillips, Pickett, Pierson, Poole, Porter, Ragland, Roach, Robertson of Williamson, Rodriguez, Rowland, Russell, Satterwhite, Seabury, Searcy, Shaw, Smith, Stell, Stewart, Stollenwerck, Strother, Talbot, Tarpey, Terrell of Cherokee, Terrell of McLennan, Tharp, Thurmond, Tinkler, Walker, Wells of Grayson, Wells of Red River, Willacy, Williams, Willingham. Total present, including the Speaker, 111.

The Speaker announced a quorum present.

Prayer was offered by Rev. I. S. Davenport, Chaplain of the Senate.

The Clerk then, by direction of the Speaker, read from the House Journal of January 11 the report of the joint committee to arrange for the inaugural ceremonies of the Governor and Lieutenant-Governor, said report fixing 12 o'clock meridian today for the inauguration of said officers.

The Speaker then announced that the two houses were in joint session for the purpose of inaugurating the Governor and Lieutenant-Governor-elect.

The Joint Committee on Inaugural Ceremonies appeared at the bar of the House at 12 o'clock m., and were duly announced, accompanied by Governor-elect Joseph D. Sayers, Lieutenant-Governorelect J. N. Browning, Associate Justice

M. Love, Jno. W. Robbins, Allison Mayfield, Chas. S. Morse, John H. Reagan and L. J. Storey. The joint committee advanced into the Hall, and were conducted to the Speaker's stand by the Sergeant-at-Arms of the House.

The Speaker then announced that the oath of office would be administered to the Governor and Lieutenant-Governorelect by Associate Justice of the $Su\cdot$

preme Court Jas. Williams.

The Speaker then directed Associate Justice of the Supreme Court Jas. Williams to administer the oath of office to Governor-elect Joseph D. Sayers, which was done, Associate Justice Williams holding the Holy Bible in his right hand, and the Governor-elect touching the same with his, and at the conclusion of which the Governor-elect kissed the Book.

Governor Sayers then affixed his signature to the official oath, Clerk Charles S. Morse, of the Supreme Court, attesting the same with the Great Seal of the commonwealth of Texas.

Speaker Prince then introduced Joseph D. Sayers to the joint session and to the assemblage as the Governor of the State of Texas.

Governor Sayers, acknowledging the introduction, said:

"Senators, Representatives and Fellow Citizens:

"As I assume, for the second time, the duties of Chief Executive of this commonwealth, the thought occurs—how can I sufficiently requite the people for their confidence so generously renewed.

"Two years ago I stood in this place with lighter heart and more buoyant spirits than now. Experience warns me against the anticipation of pleasure and ease for the two years to come.

"The honor is great, indeed; the re-

sponsibility is no less.

"As guaranty for the future I can only offer the record that I have made here and elsewhere in the public service.

"That record, whatever it may be, I shall earnestly endeavor to improvesteadfastly relying upon the sincere and hearty co-operation of my associates in every department of the government, and in return faithfully pledging to them my

"It is no easy task to successfully and satisfactorily administer the affairs of so great a State, yet in its infancy, with its extensive domain, its variety and abundance of resources, and its many conflicting interests; and to them upon Pas. Williams, Chief Justice R. R. whom the grave responsibility may fall Gaines, Associate Justice T. J. Brown, Hons. J. S. Kendall, R. W. Finley, R. with especial force—'Let not him who girdeth on his harness boast himself as

he that putteth it off.'

"With a full appreciation of the importance and magnitude of the work that I again undertake, I enter upon its performance with a full determination that shall not falter, however untoward the circumstance, to do all that may be possible to advance the prosperity of the State and the welfare of its citizens. Should I so maintain myself during the term for which I have been elected, the measure of my ambition will be complete.

"The hairs of my head have grown gray in its service, as well on the field as in the council chamber, and when my public career shall have closed I desire, above all things else, to take with me into private life the consciousness of duty well performed. If deserved, I could ask no higher encomium than that I had served the people faithfully and well. Senators and Representatives, I rejoice to have you share with me the responsibilities, the duties and the honor of the hour, and upon your wisdom and your patriotism I shall most confidently rely."

Associate Justice of the Supreme Court James Williams then administered the oath of office to Lieutenant-Governor-elect James N. Browning, who came forward, and the same ceremonies were had as in the case of the Governor.

The Speaker then introduced Jas. N. Browning as the Lieutenant-Governor of

Lieutenant-Governor Browning, knowledging the introduction, said:

"Mr. Speaker and Mr. President, Senaators, Representatives and Fellow-citi-

"Two years ago, where I now stand, I took the oath of office as Lieutenant-Governor of this State. I then delivered a brief address, in which I promised that I would faithfully and impartially discharge the duties of my office to the best of my skill and ability, and in accordance with the Constitution and laws of the country. of the country. Whether that pledge has been redeemed or not I prefer to let the record say. With the record before them, the people re-elected me to this office. I assure you that I heartily appreciate the honor thus conferred, and I promise you that if it be possible I shall be more diligent and more faithful in the discharge of my official duties in the future than I have been in the past."

The Speaker then announced that the business of the joint session was concluded.

Whereupon Senator Patterson offered the following resolution:

Resolved, That we, a joint session of the Twenty-seventh Legislature of the State of Texas, extend our thanks to the Superintendent of Public Buildings and Grounds, and to the ladies and friends of the city of Austin who have contributed the exceedingly beautiful and tasty collection of fine flowers and shrubbery to adorn the services of this important occasion.

The resolution was read second time, and the President announced that it was adopted on part of the Senate.

The Speaker announced that it was

adopted on part of the House.

On motion of Senator Hanger, the Senate retired to its chamber.

IN SENATE.

On motion of Senator Davidson of De-Witt, the Senate, at 12:22 o'clock p. m., adjourned until 10 a.m. tomorrow.

SEVENTH DAY.

Senate Chamber. Austin, Tex., Wednesday, Jan. 16, 1901.

Senate met pursuant to adjournment. President Pro Tem. Miller in the chair.

Roll called. Quorum present, the fol-Senators answering to their lowing names:

Present—23.

Davidson of Paulus. DeWitt. Patterson. Davidson of Potter. Galveston. Savage. Goss. Stafford. Hanger. Staples. Harris of Bexar. Swann. Harris of Hunt. Turner. Lipscomb. Wayland. Lloyd. Wheeler. McGee. Wilson. Miller. Yett. Neal.

Absent-4.

Grinnan. Odell. Johnson. Turney.

Absent—Excused.

Beaty. James. Dibrell. Sebastian.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Davidson of De-Witt, the same was dispensed with.